

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JACOB BRADLEY DEMARAIS,

Defendant.

Case No. 1:21-cr-130

**PRELIMINARY ORDER
OF FORFEITURE**

WHEREAS, in the Indictment regarding the above case, the United States sought forfeiture of specific property of the defendant;

AND AS A RESULT of the guilty plea to Count One (Distribution of Images Depicting the Sexual Exploitation of Children), in violation of 18 U.S.C. §§ 2252(a)(2) and 2252(b)(1) (Doc. 13), and together with the defendant's waiver of any rights to said property in the Plea Agreement (Doc. 39 ¶4), pursuant to 18 U.S.C. § 2253(a), the defendant shall forfeit to the United States of America all of his/her right, title and interest to:

- One iPhone, black in color; and
- One iPhone, silver in color, with Serial No. A1778.

It is hereby ORDERED, ADJUDGED and DECREED:

1. That all of the defendant's right, title and interest in the following property is hereby forfeited, that the United States is hereby authorized to seize the following property at the time of sentencing, and it will be forfeited to the United States of America for disposition in accordance with the law, that being:

- One iPhone, black in color; and

- One iPhone, silver in color, with Serial No. A1778.

2. That all of the aforementioned forfeited property is to be held in the custody and control of Federal Bureau of Investigation.

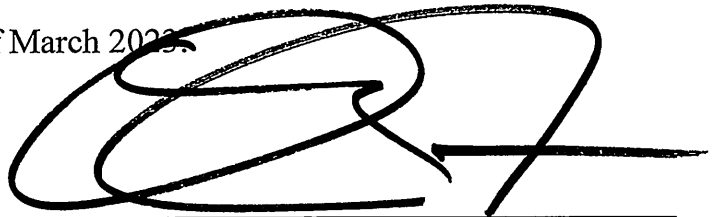
3. That the United States of America shall post Notice of Forfeiture on the official government internet site (www.forfeiture.gov) for at least 30 consecutive days and notice that any person, other than the Defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of any and all third-party interests, this Court will enter a Final Order of Forfeiture in which all interests will be addressed.

ORDERED this 9 day of March 2023.

A large, stylized handwritten signature in black ink, appearing to read 'D. Traynor', is written over a horizontal line.

Daniel M. Traynor, District Judge
United States District Court